

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Kenneth Moore,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:08-CV-02862
)	Honorable James B. Zagel
Peerless Group, Inc., The Peerless Group,)	
Peerless Machinery Corp., Peerless)	
Confection Company,)	
)	
and, in the alternative,)	
)	
Shaffer Manufacturing Corp,)	
)	
and in the alternative,)	
)	
J.H. Day, Co., d/b/a Littleford Day, Inc.,)	
)	
Defendants.)	

**PLAINTIFF'S ANSWERS TO DEFENDANT PEERLESS MACHINERY d/b/a THE
PEERLESS GROUP CORPORATION AFFIRMATIVE DEFENSES**

NOW COMES Plaintiff, KENNETH MOORE, by and through his attorneys Cochran, Cherry, Givens, Smith & Montgomery, LLC, and for his Answer to Defendant, Peerless Machinery Corporation d/b/a The Peerless Group, (hereinafter, Peerless), Affirmative Defenses to Plaintiff's Complaint at Law, states as follows:

FIRST AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, First Affirmative Defense.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by

this Honorable Court against Defendant, Peerless, and the dismissal of its First Affirmative Defense.

SECOND AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, Second Affirmative Defense.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, Peerless, and dismissal of its Second Affirmative Defense.

THIRD AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, Third Affirmative Defense. In further answering, Plaintiff, Kenneth Moore, denies that he was negligent in any fashion or that he assumed any risk or that any of his conduct or actions were contributing factors, in whole or in part, to his injuries.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, Peerless, and dismissal of its Third Affirmative Defense.

FOURTH AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, Fourth Affirmative Defense.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, Peerless, and dismissal of its Fourth Affirmative Defense.

FIFTH AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, Fifth Affirmative Defense. In further answering, Plaintiff, Kenneth Moore, denies that he misused the produce or was negligent in any fashion or that any of his conduct or actions were contributing factors, in whole or in part, to his injuries.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, Peerless, and dismissal of its Fifth Affirmative Defense.

SIXTH AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, Sixth Affirmative Defense.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, Peerless, and the dismissal of its Sixth Affirmative Defense.

SEVENTH AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, Seventh Affirmative Defense. In further answering, Plaintiff, Kenneth Moore, denies that he was negligent in any fashion or that any of his conduct or actions were contributing factors, in whole or in part, to his injuries.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, Peerless, and the dismissal of its Seventh Affirmative Defense.

EIGHT AFFIRMATIVE DEFENSE

ANSWER: Plaintiff denies each and every allegation contained in Defendant, Peerless, Eight Affirmative Defense, including each and every paragraph and subparagraph which purports to allege a Affirmative Defense or the bases thereof. In further answering, Plaintiff, Kenneth Moore, denies that he was negligent in any fashion or that any of his conduct or actions were contributing factors, in whole or in part, to his injuries.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, Peerless, and dismissal of its Eight Affirmative Defense.

Respectfully submitted,

By: Beverly Spearman
One of Plaintiff's Attorneys

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